

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 3426 Wells Street, Fort Wayne, Indiana 46808. (Edy's Grand Ice Cream)

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended and I.C. 6-1.1-12.1, to wit:

Attached hereto as "Exhibit A" as if a part herein said property more commonly known as 3426 Wells Street, Fort Wayne, Indiana 46808; and

WHEREAS, said project will create 50 additional permanent jobs for a total additional annual payroll of \$1,350,000, with the average new annual job salary being \$26,880; and

WHEREAS, the total estimated project cost is \$20,000,000; and

WHEREAS, recommendations have been received from the Committee on Finance and the Department of Economic Development concerning said Resolution; and

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution; and

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1 **SECTION 1.** That, the Resolution previously designating
2 the above described property as an "Economic Revitalization
3 Area" is confirmed in all respects.

4 **SECTION 2.** That, the hereinabove described property is
5 hereby declared an "Economic Revitalization Area" pursuant to
6 I.C. 6-1.1-12.1, said designation to begin on the effective
7 date of this Resolution and continue for a three (3) year
8 period. Said designation shall terminate at the end of that
9 three (3) year period.

10 **SECTION 3.** That, said designation of the hereinabove
11 described property as an "Economic Revitalization Area" shall
12 apply to both a deduction of the assessed value of real estate
13 and personal property for new manufacturing equipment.

14 **SECTION 4.** That, the estimate of the number of
15 individuals that will be employed or whose employment will be
16 retained and the estimate of the annual salaries of those
17 individuals and the estimate of the value of redevelopment or
18 rehabilitation and the estimate of the value of the new
19 manufacturing equipment, all contained in Petitioner's
20 Statement of Benefits are reasonable and are benefits that can
21 be reasonably expected to result from the proposed described
22 redevelopment or rehabilitation and from the installation of
23 the new manufacturing equipment.

24 **SECTION 5.** The current year approximate tax rates for
25 taxing units within the City would be:

26 (a) If the proposed development does not occur, the
27 approximate current year tax rates for this site
28 would be \$8.3194/\$100.

29 (b) If the proposed development does occur and no
30 deduction is granted, the approximate current year
31 tax rate for the site would be \$8.3194/100 (the
32 change would be negligible).

1 (c) If the proposed development occurs and a deduction
2 percentage of fifty percent (50%) is assumed, the
3 approximate current year tax rate for the site
4 would be \$8.3194/\$100 (the change would be
negligible).

5 (d) If the proposed new manufacturing equipment is not
6 installed, the approximate current year tax rates
7 for this site would be \$8.3194/\$100.

8 (e) If the proposed new manufacturing equipment is
9 installed and no deduction is granted, the
10 approximate current year tax rate for the site
11 would be \$8.3194/\$100 (the change would be
12 negligible).

13 (f) If the proposed new manufacturing equipment is
14 installed and a deduction percentage of eighty
15 percent (80%) is assumed, the approximate current
16 year tax rate for the site would be \$8.3194/\$100
17 (the change would be negligible).

18 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby
19 determined that the deduction from the assessed value of the
20 real property shall be for a period of ten (10) years, and
21 that the deduction from the assessed value of the new
22 manufacturing equipment shall be for a period of five (5)
23 years.

24 **SECTION 7.** The benefits described in the Petitioner's
25 Statement of Benefits can be reasonably expected to result
26 from the project and are sufficient to justify the applicable
27 deductions.

28 **SECTION 8.** For new manufacturing equipment, a deduction
29 application must contain a performance report showing the
30 extent to which there has been compliance with the statement
31 of benefits form approved by the Fort Wayne Common Council at
32 the time of filing.

SECTION 9. For real property, a deduction application must contain a performance report showing the extent to which there has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County Auditor's Office and the City of Fort Wayne's Department of Economic Development and must be included in the deduction application. For subsequent years, the performance report must be updated within sixty days after the end of each year in which the deduction is applicable.

SECTION 10. The performance report must contain the following information:

- A. The cost and description of real property improvements and/or new manufacturing equipment acquired.
- B. The number of employees hired through the end of the preceding calendar year as a result of the deduction.
- C. The total salaries of the employees hired through the end of the preceding calendar year as a result of the deduction.
- D. The total number of employees employed at the facility receiving the deduction.
- E. The total assessed value of the real and/or personal property deductions.
- F. The tax savings resulting from the real and/or personal property being abated.

SECTION 11. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Member of Council

APPROVED AS TO FORM AND LEGALITY

J. Timothy McCaulay
J. Timothy McCaulay, City Attorney

Read the first time in full and on motion by O'Connell, seconded by , and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on Tuesday, the 25th day of May, 19 93, at 5:00 o'clock P. M., E.S.T.

DATED: 5-11-93

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Lunsey, seconded by , and duly adopted, placed on its passage.
PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>6</u>			<u>3</u>
BRADBURY				<u>✓</u>
EDMONDS	<u>✓</u>			
GiaQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG				<u>✓</u>
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT				<u>✓</u>
TALARICO	<u>✓</u>			

DATED: 5-25-93

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. Q-26-93 on the 25th day of May, 19 93

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mark C. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of May, 19 93, at the hour of 11:00 o'clock P. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 1st day of June, 19 93, at the hour of 4:30 o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

EXHIBIT A

The North 400.0 feet of Lot B in Romy's outlots in sections 26 and 35 in Washington Township, according to the plat recorded in Plat Book 1 page 73 in the Recorder's Office and subject to all easements and right-of-ways of record.

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Confirming Resolution

DEPARTMENT REQUESTING ORDINANCE Department of Economic Development

SYNOPSIS OF ORDINANCE Edy's Grand Ice Cream is requesting a tax abatement in order to add on to their existing facility as well purchase several pieces of equipment.

Q-93-05-04

EFFECT OF PASSAGE Will allow for the creation of 50 new jobs.

EFFECT OF NON-PASSAGE Opposite of above.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) Donald J. Schmidt



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

May 12, 1993

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of May 15, 1993, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. R-93-05-03 & R-93-05-04
R-93-05-05 & R-93-05-06
R-93-05-07 & R-93-05-08

Economic Revitalization Area

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 3

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL

(RESOLUTIONS NO. R-93-05-03 AND R-93-05-04)

Notice is hereby given that the Common Council of the City
of Fort Wayne, Indiana, approved a Resolution on 5-11-93,
date

designating property at 3426 Wells Street, Fort Wayne, Indiana 46808
(Edy's Grand Ice Cream)

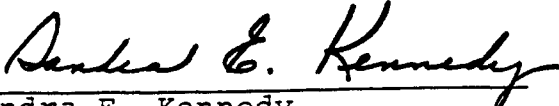
an Economic Revitalization Area. A description of the affected area
can be inspected in the County Assessor's Office.

Common Council will conduct a public hearing on whether
the above described resolution should be confirmed, modified and
confirmed or rescinded on Tuesday, May 25, 1993, at 5:30 PM o'clock
date, time & place

Common Council Conference Room 128, City-County Bldg., One Main
Street, Fort Wayne, IN

If confirmed, said designation shall continue for one (1) year after
confirmation.

All interested persons are invited to attend and be heard
at the public hearing.


Sandra E. Kennedy
City Clerk

BILL NO. R-93-05-04

REPORT OF THE COMMITTEE ON
FINANCE

ARCHIE L. LUNSEY & DONALD J. SCHMIDT - CO-CHAIRPERSONS
HENRY, EDMONDS, LONG

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (~~ORDINANCE~~) (RESOLUTION) designating an "Economic
"Economic Revitalization Area" under I.C. 6-1.1-12.1 for property
commonly known as 3426 Wells Street, Fort Wayne, Indiana 46808
(Edy's Grand Ice Cream)

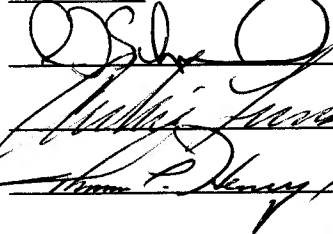
HAVE HAD SAID (~~ORDINANCE~~) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(~~ORDINANCE~~) (RESOLUTION) _____

DO PASS

DO NOT PASS

ABSTAIN

NO REC



DATED: 5-25-93

Sandra E. Kennedy
City Clerk

Fort Wayne Common Council

To:

The Journal-Gazette

Dr.

(Governmental Unit)

P.O. Box 100

Fort Wayne, IN

Allen

County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

25 lines, 1 columns wide equals 25 equivalent lines
at .33 cents per line

\$ 8.25

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 9.25

DATA FOR COMPUTING COST

Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: May 15, 19 93Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nikki Allred who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time 5/15/93, the dates of publication being as follows:

5/15/93Subscribed and sworn to before me this 15th day of May, 19 93

ANNE M. PERKINS
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP. NOV 29, 1993

My commission expires: _____

NOTICE OF PUBLIC HEARING

FORT WAYNE

COMMON COUNCIL

(RESOLUTIONS NO. R-93-05-03 AND R-93-05-04)
Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, Indiana, approved a Resolution on 5-11-93 designating property at 3426 Wells Street, Fort Wayne, Indiana 46808 (Edy's Grand Ice Cream)

An Economic Revitalization Area. A description of the affected area can be inspected in the County Assessor's Office.

Common Council will conduct a public hearing on whether the above described resolution should be confirmed, modified and confirmed or rescinded on Tuesday, May 25, 1993, at 5:30 PM o'clock Common Council Conference Room 128, City County Bldg., One Main Street, Fort Wayne, IN.

If confirmed, said designation shall continue for one (1) year after confirmation.

All interested parties are invited to attend and be heard at the public hearing.

Sandra E. Kennedy
City Clerk
#002

Fort Wayne Common Council

(Governmental Unit)

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

Allen

County, Indiana

PUBLISHER'S CLAIM

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Date: May 15, 19 93Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nikki Allred who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time 5/15/93, the dates of publication being as follows:

Subscribed and sworn to before me this 15th day of May, 19 93

Notary Public
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP. NOV. 29, 1993

My commission expires:

NOTICE OF PUBLIC HEARING

FORT WAYNE

COMMON COUNCIL

RESOLUTIONS NO. R-93-05-03 AND R-93-05-04)
Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, Indiana, approved Resolution on 5-11-93 designating property at 26 Wells Street, Fort Wayne, Indiana 46808 (dy's Grand Ice Cream).

Economic Revitalization Area. A description of affected area can be inspected in the County Assessor's Office.

Common Council will conduct a public hearing on either the above described resolution should be affirmed, modified or rescinded on Tuesday, May 25, 1993, at 5:30 PM o'clock in Council Conference Room 128, City County Building, One Main Street, Fort Wayne, IN.

If confirmed, said designation shall continue for one year after confirmation.

Interested parties are invited to attend and be heard at the public hearing.

Sandra E. Kennedy
City Clerk
#002